

DAC \$
3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
)
James JOHNSON, *et al.*) Group Art Unit: Not yet assigned
)
Serial No.: 09/840,080) Examiner: Not yet assigned
)
Filed: August 24, 2000)

For: REMOTE VEHICLE EMISSIONS SENSING DEVICE WITH SINGLE
DETECTOR

ATTN: Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

**PETITION UNDER 37 C.F.R. § 1.47(b) TO COMPLETE FILING
REQUIREMENTS WHEN AN INVENTOR REFUSES TO SIGN OR CANNOT
BE REACHED**

12/20/2001 AKELLEY 00000007 500311 09840080

01 FC:122 Sir 130.00 CH
02 FC:105 130.00 CH

This Petition Under 37 C.F.R. §1.47(b) To Complete Filing Requirements When An Inventor Refuses To Sign Or Cannot Be Reached is being filed in response to the Notice to File Missing Parts, mailed May 10, 2001. The following items are enclosed.

1. A petition fee of \$130;
2. Surcharge fee of \$130;
3. A Joint Declaration For Patent Application signed by Christopher Cuneo
(Registration Number 42,450) and including the last known addresses of the
inventors;
4. A Statement Of Facts In Support Of Filing On Behalf Of The Non-Signing
Inventors including the affidavit of Mr. Niranjana Vescio indicating that the
filing is necessary to preserve the rights of the parties;

11/14/2001 TGEDA:J1 00000011 09840080

01 FC:122

130.00 OP

RECEIVED
NOV 16 2001
OFFICE OF PETITIONS
DEPUTY A/C PATENTS

5. A Statement Establishing The Proprietary Interest of **Envirotest Systems Corporation** including the employee agreements signed by each inventor and indicating the inventor's obligation to assign the invention to **Envirotest Systems Corporation**.

PETITION

The named inventors in this application, JAMES H. JOHNSON and JOHN DIDOMENICO, have refused to execute the Oath or Declaration necessary to complete the filing. Therefore, **Envirotest Systems Corporation (ESC)**, the rightful owner of the entire right title and interest of the present application have filed this Petition in accordance with 37 C.F.R. § 1.47 and MPEP §§ 409.01-409.03(j).

Respectfully submitted,

Mintz Levin Cohn Ferris Glovsky and Popeo, PC

Dated: November 13, 2001

By: 

Christopher J. Cuneo
Registration No. 42,450

Mintz Levin Cohn Ferris Glovsky and Popeo, PC
11911 Freedom Drive, Suite 400
Reston, VA 20190
Telephone (703) 464-8159
Facsimile (703) 464-4895

RES 56989v1